

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

United States of America,)	
)	
Plaintiff,)	ORDER DENYING DEFENDANT'S
)	MOTION FOR DETENTION REVIEW
vs.)	
)	
Damone Keith Adams II, a/k/a "BLACK,")	Case No. 1:20-cr-068
a/ka/ "DAME," a/k/a "D," a/k/a)	
"PLATA O PLOMO," a/k/a "DAD",)	
)	
Defendant.)	

Before the Court is the Defendant's "Motion for Release from Custody" filed on October 19, 2020. See Doc. No. 433. The Government filed a response in opposition to the motion on October 30, 2020. See Doc. No. 460. The Defendant filed supplemental information in support of motion on November 2, 2020. See Doc. No. 463. For the reasons set forth below, the motion is denied.

The Defendant was originally arrested on the indictment in the Eastern District of Michigan on July 31, 2020. See Doc. No. 321. A detention hearing was held before a magistrate judge in the Eastern District of Michigan on August 3, 2020, and an order for release on conditions was issued, but stayed the order for 48 hours, pending the Government's appeal in the District of North Dakota. Id. The Government filed its appeal on August 6, 2020. See Doc. No. 317. On August 18, 2020, this Court entered an order granting the Government's appeal. See Doc. No. 337. The Defendant surrendered to the US Marshal's Service in Detroit, Michigan on August 24, 2020. See Doc. No. 327. On August 27, the Defendant filed a motion for reconsideration of pretrial detention. See Doc. No. 370. The Court denied the motion on September 22, 2020. See Doc. No. 401.

In the current motion, the Defendant asserts he should be released pending trial because he is not a flight risk, he has to provide care for his infant son, his past behavior shows he can abide by court-imposed mandates, and he is not a threat to the community. See Doc. No. 433. The Defendant filed supplemental information in support of the motion, which contained a letter from the Defendant's mother asking the Defendant be released in order to care for his infant son. See Doc. No. 463. The Defendant's infant son is currently in the care of the Defendant's mother, and in a stable, loving environment. Id. The Government opposes the motion, arguing the Defendant presented identical arguments in his previous motion for reconsideration, and has not presented nothing new to the Court to justify his release. The Court agrees. The Defendant's circumstances have not changed such as to rebut the presumption of detention under 18 U.S.C. § 3142(e)(3), nor any of the other reasons outlined by the Court in its previous orders. Accordingly, the Defendant's motion for release (Doc. No. 433) is **DENIED**.

IT IS SO ORDERED.

Dated this 9th day of November, 2020.

/s/ Daniel L. Hovland
Daniel L. Hovland, District Judge
United States District Court